

Appln. No. 10/803,007

Attorney Docket No. 10541-1931

II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested. Claims 1-9, 11, and 13-17 remain pending.

Claim Rejections – 35 U.S.C. §112

Claims 12-17 were rejected under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention.

The Examiner contends that the term "effective" renders the claim indefinite. The term "effective" in the claims has been replaced with the term "third". The term "desired" has been deleted from the claims.

Claim Rejections - 35 U.S.C. §102(b)

Claims 1-3 and 7-12 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,696,677 to Leaphart et al. ("Leaphart").

Claim 1 now recites that the third frequency is calculated based on a proportion of the first and second frequency. Leaphart does not teach the third frequency being calculated based on a proportion of the first and second frequency.

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Claim Rejections – 35 U.S.C. §103

Claims 4-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Leaphart in view of U.S. Patent 5,897,130 to Majeed et al. ("Majeed").

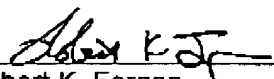
Majeed does not teach the elements noted above as missing from Leaphart. Further, claims 4-6 depend from claim 1 and are, therefore, patentable for at least the same reasons as given above in support of claim 1.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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